

# TRIPUBLICMEETING

June 24, 1998

Holiday Inn City Center  
Diplomat Room  
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(side A)

### Opening Remarks

MS. VICKI ANDERSON: Good morning.

MS. NEWMAN: Even though it doesn't look like we've got everybody here, I guess we'll get started. For those of you who made the effort to get out here on time, my name is Amy Newman, and I'm the Associate Branch Chief of the Toxics Release Inventory Branch in the Office of Pollution, Prevention, and Toxics.

MS. ANDERSON: Good morning, is anyone on the line?

MS. SKOKAN: Yes, this is Ellie Skokan calling from Wichita, Kansas.

MS. ANDERSON: Hi, Ellie. We're just getting started.

MS. NEWMAN: I'll just repeat that I'm Amy Newman and the Associate Branch Chief in the Toxics Release Inventory Branch at EPA. I'm happy to welcome all of you here this morning. This is the seventh public meeting that EPA's holding to solicit comments relating to the toxics release inventory reporting form, the Form R.

The purpose of these meetings is to obtain comments from stakeholders on ways to improve the type of right to know information available to communities and to help streamline the right to know reporting to ease the paperwork burden for businesses affected for the requirements. We're seeking your advice and counsel as our partners and constituents as we look for ways to improve the

Toxics Release Inventory Program.

As you may know, in finalizing the TRI industry expansion rule in May of 1997, Vice-President Gore announced that EPA was going to initiate an intensive stakeholder process to solicit input on the current reporting forms and reporting practices relating to the TRI program, the Toxic Release Inventory Program. These public meetings, along with a federal advisory committee called the Toxic State of Reporting Committee are the mechanisms that we're using to conduct this evaluation and gather public input on the TRI program.

So this is a unique opportunity to assist EPA in looking for more opportunities for burden reduction as well as ways to improve the quality of the right to know information available to communities. And I should stress that we're looking for ways to reduce burden but not at the expense of compromising the data that's available, that we make available to communities because that's a real important goal, an objective of this administration and of the EPA.

The topics for comment include the following format of the Form R, so the nomenclature used in the Form R, and the opportunities, as I said before, for burden reduction in both the Form R and the Form A, additional clarification of the elements that we have in our Form R, and how EPA pre-

sents the data in public information documents as well as, I should say, electronically.

Vicki Anderson to my right is a program analyst in the TRI branch. She's be helping out today as we hear your comments, and she's going to review the issue paper that sort of outlines in more detail the issues that we're hoping to receive comments on from the public. So at this point I'll turn it over to Vicki.

### **Overview of Issue Paper**

MS. ANDERSON: Just a couple of house-keeping things. If you don't already have a copy of the issue paper, there are issue papers in the, well, on the table before you, the table right outside the door. Also, before you come up, we ask that you use the mic to give your comments, for those of you who are giving comments today, and state your name clearly for the court reporter, and also if you have copies of your comments with you, to bring those forward before you speak.

With regard to the issue paper, there are three primary issues that we talked about. One concerns the definition of release. The other is Section 6 of the form where we collect information on chemical transferred to publicly owned treatment works, and the third concerns Section 8 where we collect information on waste managed at facilities.

With regard to issue one, the definition

of release, we're dealing with an issue of perception or misperception in the eyes of some where people are saying underground injection wells and subtitle C landfills, where they're used for reporting TRI data, that this data tends to be perceived by the public as meaning that once they dispose of these chemicals, that that equals exposure and that there needs to be a different way for this information to be presented.

The EPA is interested in receiving comments on ways to collect and disseminate data such that it's consistent with our agency definition or interpretation of release, but at the same time it addresses this possible misperception.

With regard to issue two, which is Section 6, chemicals transferred to publicly owned treatment works, there are some who say that in cases where chemicals are transferred to POTW's, that the quantities of chemicals are destroyed with 100 percent efficiency, in which case there is no release to the environment. While there are others who say, well, there are some chemicals that are treated with high levels of efficiency but not all are, in which cases POTW's are releasing chemicals to the environment.

So we're trying to figure out a way or we're trying to receive comments from you as to how we can present this information so that we maintain

a distinction between chemicals that are treated off-site versus chemicals that are actually released from POTW's.

Section 3 of the form or the issue paper deals with Section 8 of the form which is where we collect information on waste managed at facilities. There are some people who are concerned that there's a public misperception because the public may focus on what a facility manages rather than what the facility actually generates at the facility. EPA needs suggestions on ways to change the Section 8 of the form that would allow users to assess waste managed at the facility versus waste that is actually generated by the facility. Are there any questions? Okay.

Now what I would like to do is just basically do an assessment of who's present because I don't think everybody's here. In which we can reorder the speakers. Those who are not here at this time will be placed lower on the list than, of course, those of you who are here. I know that Ellie Skokan is already on the line. Ellie?

MS. SKOKAN: Yes.

MS. ANDERSON: Okay. Ellie will be speaking first. Gary Zolyak, is he here? Rachel Locke? Christine Earle-Bleich or Walter Bleich from Nebraska Citizen Action Network? No? Lawrence Doughty? No? Mike Miller? No. Nissa Maddox?

Angela Beitling?

MS. BEITLING: Beitling.

MS. ANDERSON: Okay. But we do have other guests I see. Would you like to identify yourselves.

FEMALE VOICE: (not speaking into microphone)

MS. ANDERSON: You're here to listen.

MR. SCOTT BANGERT: I'm Scott Bangert, I'm with Kansas Department of Health Environment.

MR. STEVE WIRTZ: I'm Steve Wirtz, I'm with the Environment Protection Agency, Region 7.

MS. ANDERSON: Hi. And we have another guest --

MR. BRYON LIVINGSTON: I'm Bryon Livingston with Allied Signal. I just came to listen.

MS. ANDERSON: Okay. So we have lots of listeners and two speakers so far. We'll begin with Ellie Skokan. Ellie, can you hear me, Ellie?

MS. SKOKAN: Yes.

MS. ANDERSON: You have ten minutes to speak, and you can go ahead and start now.

**Speakers**

MS. SKOKAN: Good morning. My name is Ellie Skokan. (telephone cutting in and out) Memphis --

MS. ANDERSON: Ellie, hold on a second.

You're fading out. I don't know what to do about that. Are you on a speaker phone yourself, Ellie?

MS. SKOKAN: I'm not, I'm on a regular phone.

MS. ANDERSON: Let's try it again please.

MS. SKOKAN: (telephone cutting in and out)

MS. ANDERSON: Take it back, you think?

MS. SKOKAN: Zip code 67220. Speaking this morning from my office at the Department of Biological Science at Wichita State University. My e-mail address -- do you want me to do this now or do you want me to mail this in?

MS. ANDERSON: That's okay.  
(throughout this presentation the speaker's voice fades in and out, sometimes cutting off words)

MS. SKOKAN: eskokan, spelled E-S-K-O-K-A-N at WSUHUB.UC.TWSU.EDU. My daytime phone number is 316-978-3111. My fax number is 316-978-3772. Thanks for giving me the opportunity to speak this morning.

I have both a professional and personal interest in the toxic release inventory. As a biologist I am concerned about both the known and unknown effects of toxic chemicals in the environment. As a concerned citizen, I have been using the TRI to follow toxic chemical releases since the first data release in 1989.



I am a founding member of the Community Involvement Group, commonly known as the CIG, which meets with Bookin Chemicals to address community concerns regarding toxic chemical use and release and other environmental issues at their Wichita facility. Additionally, I have served as a member of the Chemical Manufacturers Association Public Advisory Panel on responsible care for the past four years. I offer this background information to emphasize my knowledge and use of TRI.

I am speaking today, however, as a private citizen and am not representing any of the previously mentioned organizations. I will be making comments related to Sections 5, 6, and 8 of Form R as they were presented in the issue paper, followed by some more general comments related to better public access to TRI. I urge the EPA to keep in mind that, while some changes in reporting structures will probably be advantageous to all, it will never be possible to address all of the exceptions to the current release categories.

My comments related to Section 5 are as follows. I recommend that EPA current interpretation of the terms "release" and "environment," as I understand the intent of TRI is not to judge the actual or potential exposure or hazard of reportable releases but to inform the public of releases in their communities. Releases should not be re-

classified based on models related to miners or underground formation which receive toxic waste, models which indicate that the disposal area will contain the chemicals.

While modelling may indicate a low probability of the material leaving the disposal area, any release is a release to the environment. There is no away. Again, TRI is not intended to judge the effect of the release but notify the public of the release. We know that such containments have failed in the past, and it is reasonable to assume that worse case situations will occur in the future despite technological improvement.

I am deeply concerned that some chemical companies have been lobbying with the citizen advisory panels to submit comments to EPA requesting the acceptance of underground injection to class one wells from inclusion in total releases reported. These companies are apparently convincing their (unintelligible) that these releases are not going to hurt anyone, make their communities look bad, and, therefore, should not be reported as releases.

These companies are guilty of relating misinformation regarding the intent and use of TRI and, by trivializing the interconnection between all of the earth's environment, are doing the public a disservice by focusing on minimizing report-

able releases rather than reducing toxics at the source. I recommend that if any change is made in Section 5, it be limited to a further breakdown of the categories of release as a follow-up to the changes made in '96 reporting. Such categories would more clearly designate the disposal method as well as its location on or off-site.

Comments related to Section 6. While one could argue that releases to POTW's should not be treated or categorized differently from releases to other outside facilities, there might be merit in requiring additional information in Section 6. Such information could most easily be reported and meaningfully conveyed to the public if reported as, one, the amount of toxics released to POTW's by the facility, as is currently done, and, secondly, the amount of toxics released by the POTW to be reported by the POTW.

This recommendation is slightly different from either of the options discussed in the issues paper and would require adding POTW facilities to the list of covered facilities under TRI. The list of chemicals and the percent reduction should be standardized by EPA. I certainly would not favor the third option discussed in the issues paper where releases would be categorized based on a 50 percent treatment.

Comments related to Section 8. This is an

issue which the Community Involvement Group here in Wichita has dealt with since the origin of TRI. The Wichita facility receives waste which is managed on site for an adjoining chemical plant. The question of double reporting has been discussed in our meetings on numerous occasions. Since Section 8 deals with pollution prevention, it is very important that each facility report the quantity of toxic waste generated. This is the only way they and the public can focus on source reduction instead of release reduction.

I would recommend that each reporting facility report the total amount of toxics generated and the total amount of toxics received from off-site facilities. This method of reporting would eliminate any double reporting, if, indeed, any exists, and clearly shows the toxics generated at each facility which should be the focus of pollution prevention strategies. This focus should be important to facility managers as good business practice as well as useful information for the public as they push resource reduction of toxics.

General comments related to public use of the data. Number one, it would be most helpful to public users if there were integration of all federal environmental reporting. Part 1 of Form R could form the basis for standard facility information required for other reporting. This would al-

low the public to use the same standard access points, that is, the facility identification, for all available information. This would also seem to decrease the reporting burden for reporting facilities.

Secondly, I would like to see two related additions to reporting questions -- source reduction reporting and chemical use data. These are elements for which I assume data are already available within facilities. If not, then their inclusion would not only benefit the public but could certainly benefit reporting facilities. The addition of the information would give the public a better look at industry's success in pollution prevention and a more realistic picture of toxics present in their communities.

Again, I thank you for giving me this opportunity to comment. Would you like me to submit a hard copy for document control?

MS. ANDERSON: Yes.

MS. SKOKAN: Okay, I will do so.

MS. ANDERSON: Thank you.

MS. SKOKAN: Thank you very much.

MS. ANDERSON: Okay, thank you. Angela Beitling. Did I get it right that time?

MS. BEITLING: Can I go last?

MS. ANDERSON: You are last. You are last. There are no other speakers.

(laughter)

MS. NEWMAN: Unless you want to wait.  
There should be some coming.

MS. BEITLING: Well, I'm not prepared to say anything because I just signed up as a matter of interest. But I would like to make some personal comments.

MS. ANDERSON: Would you care to go to the mic? We need you to go to the mic.

MS. BEITLING: Well, I agree with Ellie Skokan. I like what she said. I'm not familiar with the details of the form, but I am familiar with chemical toxins. And the reason I came here is because of trying to access information through the right to know, through the internet. And up until the last year I found most of the information available to be very non-informative.

Having worked in industry, having worked with thousands of chemicals I know that exist there, and having seen what's reported by the Right To Know Act, it's just overwhelming. Where are all these other chemicals that need to be accounted for? Where do they go?

My concerns for the environment are great. What's put into the air, what's put into the soil, what's put into the water is of great personal interest to me because I've acquired some physical disabilities because of the chemical in the envi-

ronment. Not only from what I worked in but now in relation to simple things in the environment. And I've also encountered a great deal of other people who's ability to work has been affected by contaminants in the environment.

And when a person tries to go to find access of information for chemicals, it's not there. It's not on labelling of products. We don't really know what goes into our water, we don't know how to protect ourselves. I mean, I could give you a list of things that doctors have told me to avoid, but trying to find access of how to avoid those things is very, very difficult.

And a lot of people who are in situations like mine find themselves staying home because that's the easiest way to protect themselves. A person can't have any degree of concept of actually how difficult it is until they're really in that position, but it does exist.

And another issue that really bothers me is that it's very important to get good information out on the internet because there are an awful lot of people who use it, but it's also good to get it in the media every day because there's an awful lot of people who don't use computers.

And in my neighborhood, when I talk to my neighbors about simple things such as pesticides that they're putting on their yard, all these pes-

ticides run down and they dump into the creek behind our houses. Then the water all runs to a lake that the kids swim in, that people fish out of and what not. None of this is ever reported. You have chem lawn services that come in and they do spraying in the air. Nobody accounts for it. Maybe they do. But it's like nobody is really taking the total figure of what is actually happening.

A simple thing is my neighbor doing their swimming pool, the chemicals he adds to his swimming pool. He doesn't stop to think -- I've gone to talk to him friendly like and said, Paul, let me know when you're adding these chemicals because I got to go inside. And then after he adds the chemicals, what does he do with them? They're there. Does he have to report them?

This is simple stuff that all adds up over a period of time, everybody's little contribution of their paint, their contaminants in their house. Some of it just goes into the trash. A lot of people don't take it to a disposable waste site because it's not convenient. I live in Lee Summitt. In Lee Summit we have pickup days on a certain Saturday, and you have to sign up to get rid of your hazardous waste. This is not a law, it's not mandatory, it's suggested.

There ought to be a way for people to conveniently get rid of this stuff on a community-wise



basis so that everybody knows it's not getting dumped in the creek or it's not getting dumped in the soil or what not.

MS. ANDERSON: May I ask you a question? When you said you went on the internet and looked at information concerning TRI, that it wasn't very informative. Can you explain or expound a little bit more on that please?

MS. BEITLING: Well, when I first got sick, which was in 1994, I was home and I was browsing for internet information concerning different chemicals, and I found, the only thing I found at that time -- of course, you have to understand that was my first access to a computer. I hadn't been using a computer. I was a pipefitter by profession, and we didn't own a computer. So within a year of that time.

So I encountered a guy that for \$25 he would send you information on your community, and that's what I did. Well, the information that he sent to me was for the industrial area over here in Kansas City, and it reported something like 9 or 12 chemicals.

MS. ANDERSON: TRI chemicals?

MS. BEITLING: Yeah. And out of these chemicals, I said, well, I work at a factory, and I know darn well, because of my occupation, I'm working with a lot of chemicals, I know that there's a

whole lot more that's going into the water and into the air and into the soil. Because part of my job was to tag barrels that were shipped out, and it just didn't make sense, what's being reported and what's actually there. Where is it going?

MS. ANDERSON: I see, okay.

MS. BEITLING: And this kind of stuff was a simple example of trying to get information. Now this last year, I ran across a variety of sites that seemed to inform people a lot better. There's a lot more chemicals listed. But I would like to see all chemicals listed, whether they're hazardous or not, and I know that's not readily easily done right now because a lot of products don't even have to report everything that's in them. But I think it should be.

I think everything should be accounted for because over a period of time maybe it's not a real major issue for the world right now, but looking into the future, it's going to be a problem. And that's all I have to say.

MS. ANDERSON: Thank you. Is there anyone else who wants to give some comments, since we have time? We have until 12. No?

MS. NEWMAN: I know they all have an opinion.

MS. ANDERSON: That's okay, that's what we're here to hear. No? Okay.

MS. NEWMAN: Well, other may be showing up, but I don't know if people want to wait around.

MS. DEBORAH HENRY: I have some questions.

MS. ANDERSON: We'll do our best to answer them. If you want to come forward please.

MS. HENRY: I actually have a couple of questions. I'm working for a consulting firm --

MS. ANDERSON: Your name please?

MS. HENRY: Oh, I'm sorry. Deborah Henry, Black & Veatch. I'm working for a consulting firm, and we're trying to provide support services to the electric utility industry. They're just recently going to become subject to the TRI program for the 19 --

MS. ANDERSON: One moment please. Is someone on the line? This is Vicki Anderson from EPA? Okay, go ahead. I'm sorry.

MS. HENRY: They're going to be subject to reporting for the 1998 reporting year and they're going to be required to report in June of 1999. And I have a couple of questions because I've been working on some projects for them. And one of my first questions is I'm trying to find out what level and detail is going to be expected in tracking a lot of these chemicals.

The main ones that I'm concerned about are like a lot of metals, like sheet metals, welding

rods, things like that. And I'm running into problems in tracking these types of things because you don't really have MSDS sheets that tell you exactly what type of metal and metal compounds are going to be in these. So I'm wondering if EPA has any guidance on trying to track these things.

MS. ANDERSON: We have a lot of guidance, and in addition to that, we've been setting up training all over the country. Where did you say your company is?

MS. HENRY: It's Black & Veatch. We deal mainly with electric utilities.

MS. ANDERSON: But where are you located? Are you here --

MS. HENRY: Yeah, in Kansas City.

MS. ANDERSON: Have we had training?

MS. NEWMAN: Yeah, I know we've had training. Maybe Steve even knows. And I don't know if you have any thoughts on this. Vicki and I are probably not well versed enough to know exactly what level of effort we're trying to get people to expend to get this information.

MR. STEVE WIRTZ: We had one training session on the Citgo expansion that, in fact, the utilities here in Kansas City, it was kind of like a pilot training. We're having two more sessions in this region. One's going to be in Omaha August 11 and 12, and then another one is St. Louis, St.

Charles, August 25 and 26. So you may want to attend one of those.

MS. HENRY: Can you say that again? You said August 25 and 26. Where would I get more information?

MR. WIRTZ: I've got it in my office. Just give me a call. I think I talked to you.

MS. HENRY: Oh, are you the one that I called? Okay.

MR. WIRTZ: But I've got some information on those workshops. I can send it to you.

MS. HENRY: I think there were actually a couple of workshops before, and I really had a lot of trouble getting people from EPA pinned down on stuff like this.

MR. WIRTZ: They're good at that.

MS. HENRY: Their guidance is that basically you have to account for everything, and I'm trying to look from a practical point of view how do we account for this stuff.

MR. WIRTZ: The headquarters, I'm not sure who's working on those --

MS. NEWMAN: Baylor's working on it, but I think Vicki I think is, I'm sorry, Sarah's our point of contact.

MR. WIRTZ: They're developing a guidance package for each sector, like for utilities, and it goes into detail about answering some of the ques-

tions that you probably have.

MS. ANDERSON: Do you have a business card?

MS. HENRY: Yes, I do.

MS. ANDERSON: Why don't you leave that with me, and I'll give it to Sarah Hisel-McCoy who is in charge of the Q&A as well as the guidance document.

MS. HENRY: I'm getting the impression then that I'm probably not going to get answers to the specific questions that I have.

MS. ANDERSON: Anybody else? No?

MS. NEWMAN: Sorry, we're not sure where everybody else went.

MS. BEITLING: I'd just like to say that, you know, it's real important that people get more and more informed because people in our community, if you mention to them various organizations such as EPA or OSHA or NIOSH or what not, they've never even heard of them. You guys work for these organizations, and I became familiar with them because of the job I had and my own health concerns and rules and regulations on site. But communities, especially kids, they haven't the foggiest idea what these organizations are, and it's just communication and education is just really, really important.

MS. NEWMAN: Unfortunately, I think

that's one of the things that tends to fall by the wayside with all the budget cuts. And these programs, unfortunately, have been getting cut over the years, and there's to some extent a perception that communication and education are fluff. It's the same thing in private industry, marketing, some of that stuff, is sort of the fluff. I think that we would like to do even more than we do.

I think the internet is helping an awful lot by getting information out to a lot more people. But, you're right, if they don't even know to look there.

Actually, a question for you, just thinking about your comments, are you having trouble -- obviously the TRI, which is really what we're responsible for, mostly contains information on just the releases of the chemicals. So the chemicals are out there. But is your kind of dissatisfaction with what's there the fact that you can't find much information on the health effects of the chemicals? Sort of what does this mean? So the stuff is out there, but what does it mean to me? Is that where you're --

MS. BEITLING: That is part of it, yeah. Part of it was I was disappointed in the amount, when I started looking, the amount that is actually reported.

MS. NEWMAN: The numbers of chemicals?

MS. BEITLING: The lack of information. You just look for, without looking at it, I can't think of exactly what it was I was disappointed in. But the more information that's available for the common person, the better it is, especially with the health effects.

Now a couple of years ago there was a website, if you had information about a chemical or a product, you could just send it in, I think it was NIOSH, and they sent you back some excellent material on, let's say you had some kind of methoxylate, and you want to know what products it was in. And they'd send, well, they didn't give exact product names, but they'd say, well, maybe it's in makeup or it might be here or there. And that's the kind of information that a person who's trying to protect themselves needs.

MS. NEWMAN: Right.

MS. BEITLING: But it wasn't readily available on the website. I think it's no longer in existence. It's like that department, I wonder where the people I encounter that used to work for that free information access, so because of budget cuts, it's no longer available. That's really sad because they provided some of the best information that was available on the internet. Some of the MSD issues are so lacking, they're so general, they're almost ridiculous. And why waste the time



to even put it there. Why not make it thorough, why not supply as much information as possible?

MS. NEWMAN: Right. One of the things that the administrator has been pushing, and I'm not sure quite how far this product has gone. But it's what we call the consumer labelling initiative, and they're trying to get much more information onto consumer labels.

This is a project that's probably going to proceed in phases, and I think they're starting with like household products, you know, cleaning products and household pesticides. But she went to a hardware store and sort of looked on the label and said, you know, first of all, I can't tell what this stuff is, and I can't tell really how to apply it. So she got people working on sort of more plain English labels that do provide more information as well as, more necessary information. So they're working on that. I don't know the exact status of us.

MS. BEITLING: You almost need, if you're a consumer and you really want to know what's in a product aside from the fact that there are some things that aren't reported, but you almost need a cross-reference manual to take with you to the store because if you don't have a background in chemistry, you're lost. Well, okay, there's five different names for the same chemical.

MS. NEWMAN: Right.

MS. BEITLING: Are you going to remember it? I'm not going to.

MS. NEWMAN: Yeah, yeah. Exactly. I think that was one of the things they were working on too is try to come up with sort of a common set of names and get agreement on what sort of generic name -- you know, there are some chemicals like DEET which is that insecticide, or insect repellent, if we could get everybody to sort of use DEET rather than the big long name, that would be helpful. But these things tend to get complicated. And it's all voluntary for the moment.

Well, people are welcome -- we're probably going to stay around till 12 in case some of these people show up. You're welcome to stay, or, obviously, you can leave at any time.

MS. ANDERSON: Thank you for coming.

(end of session)

C E R T I F I C A T E

I, Carole Ludwig certify that the foregoing transcript was prepared using standard electronic transcription equipment and is a true and accurate recording.

Signature

Date